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Gregory J. Koerner Redwood Patent Law 1291 East Hillsdale Boulevard Suite 205 Foster City, CA 94404			EXAMINER LONG, ANDREA NATAE	
			ART UNIT	PAPER NUMBER
			2176	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/638,843

Applicant(s)

WIGGESHOFF ET AL.

Examiner

Andrea N. Long

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

FINAL ACTION

Applicant's Response

In Applicant's Response dated 06/23/2008, Applicant amended claims 1, 3, 5, 18, 21, 23, 25, 38, and 41-43, and argued against all objections and rejections previously set forth in the Office Action dated 03/20/2008.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 41-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The independent claims mentioned above all contain the limitation "said main widget including sub-widgets that are selectively generated ***only*** in response to user widget-selection input from a device user" (emphasis added). There is **no** mention in the original Specification of the display widgets being generated ***only*** in response to input from the user.

Particularly the specification is silent on the negative limitation of widgets being generated ***only*** in response to input from a device user.

If the examiner has overlooked the portion of the original Specification that describes this negative limitation of the present invention, then Applicant should point it out (by page number and line number) in the response to this Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-15, 17-24, 26-35, and 37-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind et al (US Patent 7124123), hereinafter “Roskind” in view of Cohen et al (Designing to Support Adversarial Collaboration, 2000), hereinafter “Cohen” in further view of Becker et al (PG PUB US 2002/0130904 A1, filed 01/17/2002), hereinafter “Becker”.

As to independent claim 1, Roskind teaches a system for implementing a user interface in an electronic device (column 1 lines 12-21 → Roskind discloses an instant messaging program consisting of a user interface within a computer), comprising:

a user interface application configured to generate said user interface upon a display of said electronic device, said user interface application selectively generating display widgets that include a main widget (Figure 2A, column 1 lines 18-21), a connect widget (column 1 lines 21-24), and an alert widget (column 1 lines 39-42) as separate parts of said user interface in

response to user input from a device user of said electronic device(column 1 lines 17-27 → Roskind discloses a well known method of a user manipulating the user interface to initiate messaging communications with the buddy); said alert widget providing alert information for multiple different types of alert states, said user interface application dynamically displaying said alert widget upon a portion of said display for viewing corresponding alert messages relating to other events in said electronic device (column 1 lines 40-52 → taught as having an alert that is provided to the user when a user is away and an alert is sent to a user when the user is offline); and

a processor device coupled to said electronic device, said processor device being configured to control said user interface application for performing network communications procedures in an electronic network (column 13 lines 43-59 → Roskind discloses that a processor is used to carry out instruction of the operation).

Roskind, however, does not explicitly teach wherein the different widgets are displayed on different discrete portions of said display or that the additional widgets are generated in response to user widget selection input from a device user and wherein the main widget includes sub-widgets.

Cohen teaches having multiple widgets for displaying distinct functions for managing collaboration data (page 33 1st column, Figures 1-3 → taught as panels and bars). Additionally Cohen teaches wherein the panels are displayed upon selection of a bar (page 33 1st column).

It would have been obvious to one skilled in the art at the time the invention was made to have substituted the multiple widgets of Roskind with the multiple widgets displayed in discrete

portions of a display of Cohen as a design choice to provide user with distinct clarification of functions that each widget provides with the collaboration system.

Becker teaches a collaboration system having a main widget including sub-widgets that are selectively generated in response to user widget selection input from a device user of said electronic device (page 4 paragraph [0039], page 7 paragraph [0063], Figure 1). Additionally Becker teaches providing alerts for new messages (page 4 paragraph [0041]).

It would have been obvious to have incorporated the sub-widgets of Becker with the system of Roskind in view of Cohen to provide the user with multiple access to various states or functions within one screen for ease of access.

As to dependent claim 2, Roskind teaches wherein said network communication procedures are performed between said electronic device and one or more buddy devices through a network server of said electronic network, said network communication procedures including instant messaging processes and sharing of content information for corresponding network services (column 1 lines 12-24).

As to dependent claim 3, Roskind teaches the functions of the presence tab (column 1 lines 28-36), a MEET tab (column 5 lines 1-4 “buddy list”), a buddy tab (column 5 lines 7-10), a content tab (column 4 lines 48-57), an info tab (column 4 lines 63-67), and a main window area (column 5 lines 5-7), said info function being utilized to generate the information requests to said one or more buddy devices (column 4 lines 63-67, column 5 lines 16-25). However,

Roskind does not teach these functions as tabs. Becker teaches the concept of using tabs in an instant messenger user interface (page 1 paragraph [0010]).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the functions of Roskind with the tabbing method of Becker to better organize and display the functions to the use.

As to dependent claim 4, Roskind teaches wherein a device user selects said presence tab in a presence off-line mode for logging-in to a network server to gain access to said electronic network (column 1 lines 44-52).

As to dependent claim 6, Roskind teaches wherein a device user selects said buddy tab to add a new buddy device to a buddy list of communication partners for said electronic device, said device user alternately selecting said buddy tab to remove a current buddy device from said buddy list, said device user also selecting said buddy tab to edit buddy information corresponding to one or more of said communication partners (column 5 lines 1-10), said buddy information including a buddy group name (randomcontact's Buddy List), an on-line/off-line status icon (AOL (4/4) is a textual icon portraying information that 4 out of the 4 buddies in the AOL are online), a buddy screen name (randomcontact2), a buddy resource name (Co-Workers)(Figure 2A).

As to dependent claim 7, Roskind teaches wherein a device user selects said content tab in a content off-line mode for adding shareable content information, for editing said shareable

content information, and for removing said shareable content information, said shareable content information being stored in a memory device for sharing with one or more buddy devices over said electronic network (column 3 line 64 through column 4 line 3, column 4 lines 48-54 → Roskind teaches a host server that stores and interacts with communications such as email, audio, video data etc., which is transferable to other buddies on a network).

As to dependent claim 8, Roskind teaches wherein a device user selects said content tab in a content on-line mode for viewing a list of previously-defined shareable content information, said device user then sending content sharing invitations to one or more buddy devices for sharing said previously-defined shareable content information (column 4 lines 13-31 → Roskind discloses that when a user is online, (logged in) the user can exchange IM's with buddies and trade files such as pictures, invitations, or documents).

As to dependent claim 9, Roskind teaches wherein a device user selects said info tab to create and transmit a request for profile information regarding one or more buddy devices in said electronic network (column 4 lines 59-67 → Roskind discloses a text box that displays representations of the program user's buddies. The representations may provide contextual information to the program user about the buddy).

As to dependent claim 10, Roskind teaches wherein said request for said profile information requests a user nickname, a user email address, a user URL, a user sex, a user

age, a user birthday, a user blood type, a user country, a user state, a user hobby, a user photo, and a user description. It is reasonable and well known that a profile can consist of any information that would be pertinent to the system at hand.

As to dependent claim 11, Roskind teaches wherein said device user selects said MEET tab to display a MEET widget that includes one or more buddy entries that include buddy information corresponding to one or more buddy devices in said electronic network (column 5 lines 1-2).

As to dependent claim 12, Roskind teaches wherein said buddy information includes a buddy group name (randomcontact's Buddy List), an on-line/off-line status icon (AOL (4/4) is a textual icon portraying information that 4 out of the 4 buddies in the AOL are online), a buddy screen name (randomcontact2), a buddy resource name (Co-Workers), and a listing of network services available for performing network service sharing procedures over said electronic network (IM, Chat, Write) (Figure 2A).

As to dependent claim 13, Roskind teaches wherein said device user utilizes said MEET widget to view a communications menu corresponding to a selected one of said one or more buddy entries, said device user then utilizing said communications menu to initiate said network communications procedures over said electronic network (Figure 2B, column 5 lines 11-15).

As to dependent claim 14, Roskind teaches wherein said device user selects an instant messaging mode from said communications menu, said user interface application then dynamically displaying said connect widget (IM button) upon a portion of said display, said device user utilizing said connect widget to conduct bi-directional chat-type communications between said electronic device and a selected one of said one or more buddy devices (Figure 2B, column 5 lines 11-38).

As to dependent claim 15, Roskind teaches wherein said device user selects a single message mode from said communications menu, said user interface application then dynamically displaying said connect widget upon a portion of said display, said device user utilizing said connect widget to send a single message from said electronic device to a selected one of said one or more buddy devices (Figure 2B, column 5 lines 11-38).

As to dependent claim 17, Roskind teaches wherein said connect widget includes a series of buddy tabs for selecting which of said one or more buddy devices are designated for said network communications procedures (Figure 1, page 4 paragraph [0038] → Becker teaches tabs for selecting individual buddies to communicate with), said connect widget further comprising a buddy scrolling tab for repositioning which of said buddy tabs are currently displayed on said connect widget if a greater number of said buddy tabs exist than may concurrently be displayed on said connect widget (Figure 1, page 4 paragraph [0038] → Becker discloses that additional elements such as elevator control can be added which would allow for additional scrolling. Also Figure 1 shows in panel 100 a scroll bar for scrolling).

It would have been obvious to one skilled in the art at the time the invention was made to have combined user interface of Roskind to the tabbing system of Becker to better organize and display the buddies.

As to dependent claim 18, Roskind teaches wherein said alert messages include an error message (column 1 lines 34-39), a subscription request for a buddy list, and invitation for sharing content information (column 4 lines 20-31), a single message in a single message mode (column 1 lines 34-39), and retrieved profile information (column 4 lines 20-31).

As to dependent claim 19, Roskind teaches wherein said alert widget functions in a notification mode in which no response is required from a device user (column 1 lines 36-43 → Roskind discloses wherein a message is displayed to a user to inform them of an alert that was sent to a buddy while they were away), said alert widget alternately functioning in a decision mode in which a decision is required by said device user to approve or disapprove a particular one of said alert messages (column 1 lines 56-67 → Roskind discloses that an action is requested from the first user if a requested action is to take place).

As to dependent claim 20, Roskind teaches wherein said alert widget However, Roskind does not teach a series of alerts. Becker teaches using tabs to organize a list of buddies. Becker also teaches using scrolling (Figure 1) to allow for viewing additional information.

It would have been obvious to one skilled in the art at the time the invention was made to implement the tabbing system of Becker with the alert widget of Roskind to better organize and easily view alerts provided to the user.

Independent claim 21 is rejected under the same rationale as claim 1.

Dependent claim 22 is rejected under the same rationale as claim 2.

Dependent claim 23 is rejected under the same rationale as claim 3.

Dependent claim 24 is rejected under the same rationale as claim 4.

Dependent claim 26 is rejected under the same rationale as claim 6.

Dependent claim 27 is rejected under the same rationale as claim 7.

Dependent claim 28 is rejected under the same rationale as claim 8.

Dependent claim 29 is rejected under the same rationale as claim 9.

Dependent claim 30 is rejected under the same rationale as claim 10.

Dependent claim 31 is rejected under the same rationale as claim 11.

Dependent claim 32 is rejected under the same rationale as claim 12.

Dependent claim 33 is rejected under the same rationale as claim 13.

Dependent claim 34 is rejected under the same rationale as claim 14.

Dependent claim 35 is rejected under the same rationale as claim 15.

Dependent claim 37 is rejected under the same rationale as claim 17.

Dependent claim 38 is rejected under the same rationale as claim 18.

Dependent claim 39 is rejected under the same rationale as claim 19.

Dependent claim 40 is rejected under the same rationale as claim 20.

Independent claim 41 and 42 are rejected under the same rational as claim 1.

As to independent claim 43, claim 43 recites substantially similar subject matter as that of claim 1 and in further view of the following is rejected under the same rationale:

Roskind teaches the functions of the presence tab for displaying online and offline presence interfaces (column 1 lines 28-36), a MEET tab for displaying a MEET interface (column 5 lines 1-4 “buddy list”), a buddy tab for displaying a MEET interface (column 5 lines 7-10), a content tab for displaying online and offline content interfaces (column 4 lines 48-57), and an info tab for displaying an info interface (column 4 lines 63-67). However, Roskind does not teach these functions as tabs and the main interfaces being concealed when corresponding ones of the main tabs are not activated by said device user. Becker teaches the concept of using tabs in an instant messenger user interface (page 1 paragraph [0010]).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the functions of Roskind with the tabbing method of Becker to better organize and display the functions to the use.

As to dependent claim 44, Roskind teaches wherein said user interface application dynamically displays said alert widget upon a portion of said display for viewing corresponding alert messages relating to one or more buddy devices (column 1 lines 39-52).

As to dependent claim 45, Roskind teaches wherein said alert widget functions in a notification mode in which no response is required from a device user (column 1 lines 39-43), said alert widget alternatively functioning in a decision mode in which a decision is required by said device to approve or disapprove a particular one of said alert messages (column 1 lines 56-67 → Roskind discloses that an action is requested from the first user if a requested action is to take place).

Claims 5 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Cohen in further view of Becker and further in view of Benejam et al (US Patent 7084754), hereinafter “Benejam”.

As to dependent claim 5, Roskind teaches wherein a device user selects said presence tab in a presence on-line mode for logging-out from a network server of said electronic network (column 1 lines 44-52 → It is inherent that the method of logging out would be the mirror of logging-in). However, Roskind does not disclose, the presence tab have presence attributes. Benejam teaches said device user alternately selecting said presence tab in said presence on-line mode for changing presence attributes of said electronic device, said presence attributes including a visibility attribute and a status attribute for said electronic device, said visibility attribute pertaining to said electronic device being visible to other devices (column 2 lines 51-67, column 3 lines 13-27).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the presence attributes of Benejam with the presence tab of Roskind to allow flexibility of the user's presence online.

Dependent claim 25 is rejected under the same rationale as claim 5.

Claims 16 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Cohen in further view of Becker further in view of Canfield et al (US Patent 7127685), hereinafter "Canfield".

As to dependent claim 16, Roskind teaches wherein said device user selects a content messaging mode from said communications menu, said user interface application then dynamically displaying said connect widget upon a portion of said display (Figure 2B, column 5 lines 11-38). However, Roskind does not teach said device user utilizing said connect widget to either share content information associated with a particular announced network service, or to view said content information while simultaneously conducting instant messaging over said electronic network. Canfield teaches a device user utilizing said connect widget to either share content information associated with a particular announced network service, or to view said content information while simultaneously conducting instant messaging over said electronic network (Figures 5 & 8-11).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the user interface of Roskind with the sharing and viewing of content of Canfield to enable a user to locate preferred information and service quickly and easily.

Dependent claim 36 is rejected under the same rationale as claim 16.

Response to Arguments

Applicant's arguments with respect to independent claims 1, 21, and 41-43 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 06/23/2008 have been fully considered but they are not persuasive.

Applicant asserts that Roskind teaches away from Applicants' invention.

The Examiner disagrees.

While some of the functions of Roskind's such as receiving alerts may not require human intervention. There are multiple instance where human intervention is necessary in order to interface with the system such as selecting the various widgets that are present in Roskind's invention. Therefore Roskind does not teach away from Applicant's invention.

Applicant asserts that Roskind's manipulation of a user interface to initiate instant messaging communications with the buddy does not read on Applicants' "main widget",

“connect widget”, and “alert widget” that perform a significantly greater number of user interface functions.

The Examiner disagrees.

It is noted that the citing of Roskind's background is used to show in regard to teaching selectively generating a main widget, that a user can initiate the displaying of a main widget. Further Roskind teaches a user interacting by selecting buddies to send messages back and forth to. Also it should be noted that the greater number of user interface functions that the Applicant relies on as not being taught by Roskind is currently not positively recited in the claims.

Applicant asserts that the use of Roskind's background section conflicts directly with the primary teachings of Roskind.

The Examiner disagrees.

The combination of Roskind's background with his primary teachings would provide greater functionality by providing multiple methods for users to interact with the system.

Applicant asserts that Roskind is silent with respect to how any such user interface might be generated and further only discloses two different interface windows or widgets.

The Examiner disagrees.

Roskind teaches a user selecting a representation with is displayed on the widget. Upon selection of the representation an additional widget is generated for the user to additionally

interact with. Therefore Roskind reasonably teaches the generating of widgets in response to widget selection from the user.

Additionally while Cohen is used to teach multiple widgets as separate parts of the user interface, the Applicant's citation of Roskind teaching at least two different user interface windows provides for additional support and motivation for teaching the limitation of the various widgets generated as separate parts of the user interface.

Applicant asserts that Roskind fails to teach a separate "alert widget" that provides notifications regarding multiple different types of alert states.

The Examiner disagrees.

While Roskind teaches the functionality of alert states within a widget, Cohen is used to teach having individual widgets to perform distinct tasks. The alert system of Roskind provides to types of alerts. The first is the notification to the buddy user to let them know that the user is unavailable and the second is a notification to the user that a buddy has tried to contact them while they were unavailable.

Applicant asserts that Roskind fails to teach "said buddy information including a listing of network service or a buddy resource name".

The Examiner disagrees. The IM, Chat, and Write buttons all perform a network service that a user can engage in with their buddies. It is further noted that Applicant's argument that the limitation "listing corresponding to individual buddies" is not positively recited in the claim. Roskind teaches having multiple "buddy resource names" such as "Co-Workers", and "AOL".

The term buddy resource name broadly interpreted can be defined as support for the grouping of screen names, which is provided by Roskind.

Applicant asserts that Roskind fails to teach "said alert messages including any error message, a subscription request for a buddy list, an invitation for sharing content information, a single message in a single message mode, and retrieved content information" or said alert widget functions in a notification mode in which no response is required from a device user, said alert widget alternatively functioning in a decision mode in which a decision is required by said device user to approve or disapprove a particular one of said alert messages.

The Examiner disagrees.

The Examiner is interpreting Roskind teachings of a buddy sending a message to the user and receiving a notification back that the user is not available as an error message. Roskind teaches the finding buddies with similar interests, sharing files, and exchanging IMs with particular buddies, Roskind teaches sending a message to a user if another user tries to contact him/her when they are away which, is a single message sent to the user that does not require a response from the user. Roskind also teaches wherein an action is requested from the first user if a requested action is to take place therefore querying the system to approve or not approve an alert message.

Applicant asserts the cited references fail to teach said main widget having a series of main tabs that said device user utilizes to temporarily display corresponding respective main interfaces.

The Examiner disagrees.

Becker teaches a main interface having multiple tabs that are selectable by a user to view a specific conversation. The use of Becker's tabbing system along with the functionality of Roskind's features, teach the claimed limitation and should be considered as a whole when interpreting the rejection of the claims.

Applicant asserts that Roskind fails to teach "an info tab" for generating information request to other users.

The Examiner disagrees.

Roskind teaches the functionality of generating information request to other users by displaying the representations which provided general information about the users as well as access to message communications.

Applicant asserts that Roskind fails to teach "said main widget includes a presence tab, a MEET tab, a buddy tab, a content tab, an info tab, and a main window area.

The Examiner disagrees.

As stated above in the rejection of claims 3 and 23, Roskind teaches the functionality of the Applicant's tabs but not the presence of the tabs themselves. Becker is user to provide insight to one skilled in the art that tabs as agreed by the Applicant, is known to be a common method for organizing information. Therefore it is the combination of Roskind and Becker that provides the teaching of the Applicant's invention for providing the functionality of Roskind as tabs to provide greater organization of information for ease of viewing to a user. Being that

Becker's system is based upon an instant messaging system the use of the tabs is therefore already present to those skilled in the art and provides clear existence of obviousness.

Applicant asserts that Roskind fails to teach any sort of specific techniques for editing shareable content information or for viewing a list of previously defined shareable content information.

The Examiner disagrees.

Roskind teaches a host server that stores and interacts with communications such as email, audio, video data etc., which is transferable to other buddies on a network. In additional Roskind teaches that when a user is online, (logged in) the user can exchange IM's with buddies and trade files such as pictures, invitations, or documents.

Applicant asserts that Roskind fails to teach any sort of "request for profile information".

The Examiner disagrees.

Roskind states that contextual information about the buddy can be provided to the program user. Profile information is merely information relating to a buddy.

Applicant asserts that a profile cannot consist of any information that would be pertinent to the system at hand and the combination of the Examiner's knowledge would have not been obvious to one skilled in the art.

The Examiner disagrees.

At the Applicant's request, a reference (definition of a user profile taken from searchsecurity.com, last updated Feb 16, 2001) has been reproduced below as well as being cited on PTO Form 892 for the Applicant's review.

"In Windows NT, a user profile is a record of user-specific data that define the user's working environment. The record can include display settings, application settings, and network connections. What the user sees on his or her computer screen, as well as what files, applications and directories they have access to, is determined by how the network administrator has set up the user's profile."

Applicant asserts that Benejam fails to teach the presence attributes.

The Examiner disagrees.

Benejam allows for the user to set which users are available to see their current status, by allowing the user to specify a list of one or more users to display status.

Applicant asserts that the particular combination of claimed limitations would not be obvious to one skilled in the art at the time of the invention with regards to claims 16 and 36.

The Examiner disagrees.

All the references cited for the teaching of claims 16 and 36 are in the same field of endeavor of instant messaging systems. Each reference provided improvements that would eliminate shortcomings in the prior art. Particularly Canfield will enable a user to locate preferred information and service quickly and easily, which is a feature described in Roskind to locate buddies with similar interests as well as get customized information such as news and stock quotes, and search the World Wide Web.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
November 17, 2008

/Rachna S Desai/
Primary Examiner, Art Unit 2176